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Division

## 02 Acts intended to cause injury

### Australian and New Zealand Standard Offence Classification (ANZSOC)

Reference period: 2011

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#### Division 02 - Acts Intended to cause injury

Acts, excluding attempted murder and those resulting in death (Division 01), which are intended to cause non-fatal injury or harm to another person and where there is no sexual or acquisitive element.

This division is further disaggregated into subdivisions on the basis of whether or not an act constitutes a direct assault upon a person or persons.

Offences in this division are classified into the following subdivisions:

021 Assault

029 Other acts intended to cause injury

**Inclusions:**

Offences that involve reckless behaviour that amounts to intentionality or malice.

Inflict injury where there is no intent to kill the other person.

**Exclusions:**

Sexual assault and related offences are excluded from this division as they are sufficiently distinct to form a separate division, Division 03, Sexual assault and related offences.

Dangerous or negligent acts causing or potentially causing harm are excluded from this division on the basis that there is not an intention to cause harm. These acts are sufficiently distinct to form a separate division, Division 04, Dangerous or negligent acts endangering persons. Should it not be possible to determine whether there was intent or not, the default is to code to Division 04.

Subdivision

## 021 Assault

### Subdivision 021 Assault

The direct (and immediate/confrontational) infliction of force, injury or violence upon a person or persons or the direct (and immediate/confrontational) threat of force, injury or violence where there is an apprehension that the threat could be enacted.

This subdivision is further disaggregated on the basis of whether or not the assault involved injury, or other circumstances.

Offences in this subdivision are classified into the following groups:

0211 Serious assault resulting in injury

0212 Serious assault not resulting in injury

0213 Common assault

**Inclusions:**

This subdivision specifically includes face-to-face threatening behaviour if it is believed that the threat could be enacted

Administer drugs with intent to assault

**Exclusions:**

Ill-treatment of children/child neglect. These are coded to Group 0491, Neglect or ill treatment of persons under care.

Hinder/obstruct police officers or justice officials. These are coded to Group 1562, Resist or hinder police officer or justice official.

Hinder/obstruct government officers involved in maintaining government security. These are coded to Group 1551, Resist or hinder government officer concerned with government security.

Threats to murder or injure that are not face-to-face where there is no belief that the threat could be enacted (i.e. those not constituting assault). These are coded to Group 0532, Threatening behaviour.

Use of force as part of a robbery unless specifically described as a separate offence of 'assault'. These are coded to the relevant groups within Subdivision 061, Robbery.

Assault with intent to commit a sexual act. These are coded to the relevant groups within Subdivision 031, Sexual assault.

## **0211 Serious assault resulting in injury**

The direct (and immediate/confrontational) infliction of force, injury or violence upon a person or persons resulting in an injury. For the purposes of this group, injury includes, but is not limited to:

- grievous bodily harm;
- actual bodily harm;
- wounding;
- severe mental behavioural disturbance or disorder; or
- loss of a foetus.

### **Inclusions:**

Deliberate transmission of a grievous bodily disease

Torture

Assault with intent to injure

### **Exclusions:**

Common assault. These are coded to Group 0213, Common assault.

Driving causing grievous bodily harm. These are coded to Group 0412, Dangerous or negligent operation (driving) of a vehicle.

Threat of assault (where there is a belief that the threat could be enacted). These are coded to Group 0212, Serious assault not resulting in injury.

Serious assault where injury is not determined. These are coded to Group 0212, Serious assault not resulting in injury.

Child neglect. These are coded to Group 0491, Neglect or ill treatment of person under care.

## **0212 Serious assault not resulting in injury**

The direct (and immediate/confrontational) infliction of force or violence upon a person or persons not resulting in an injury.

These incidents include, but are not limited to, any of the following circumstances:

- Committed in company;
- Use of a weapon;
- Committed against a vulnerable victim;
- Committed against a pregnant person;
- Committed against a prison officer, police officer or other justice official;
- Involved more than one victim;
- Part of a planned or organised criminal activity; or
- Any aggravating circumstance specified by state or territory criminal legislation.

### **Inclusions:**

Threats to kill that are face-to-face and where there is an apprehension that the threat could be enacted

Threats to assault that are face-to-face and where there is an apprehension that the threat could be enacted

Serious assault where injury is not determined

### **Exclusions:**

Serious assault resulting in injury. These are coded to Group 0211, Serious assault resulting in injury.

Threats to murder or injure that are not face-to-face where there is no belief that the threat could be enacted (i.e. those not constituting assault).

These are coded to Group 0532, Threatening behaviour.

## **0213 Common assault**

An assault not involving any of the circumstances defined in Group 0211 and Group 0212.

**Exclusions:**

An assault committed against a police officer, justice official, prison officer etc. These are coded to Group 0212, Serious assault not resulting in injury.

**Subdivision**

## **029 Other acts intended to cause injury**

### **Subdivision 029 Other acts intended to cause injury**

Acts involving the indirect and non-confrontational infliction of harm, injury or violence upon a person.

This subdivision is further disaggregated based on whether the offence involved stalking, or other acts intended to cause injury.

Offences in this subdivision are classified into the following groups:

0291 Stalking

0299 Other acts intended to cause injury, nec

**Exclusions:**

Acts which, though not intended to cause harm, actually or potentially result in injury to oneself or another person. These are coded to the relevant groups within Division 04, Dangerous or negligent acts endangering persons.

### **0291 Stalking**

Acts intended to cause physical or mental harm to a person, or to arouse apprehension or fear in a person, through a repeated course of unreasonable conduct.

For the purposes of this group, stalking includes, but is not limited to, activities such as unauthorised surveillance of an individual, interfering with the individual's property (or that of an associate), sending offensive material, and communicating with the person in a way that could be reasonably expected to arouse apprehension or fear.

**Exclusions:**

Harassment where there is no indication that the behaviour is intended to cause physical or mental harm, or arouse apprehension or fear. These are coded to Group 0531, Harassment and private nuisance.

Nuisance phone calls. These are coded to Group 0531, Harassment and private nuisance.

### **0299 Other acts intended to cause injury, nec**

Other acts intended to cause injury not elsewhere classified in Division 02, Acts intended to cause injury.

**Inclusions:**

Administer illicit drugs (where further intent is unknown)

Administer poison (where further intent is unknown)

Drink/food spiking (where further intent is unknown)

Set mantraps

Stupefy

Administer a sedative or hypnotic drug (where further intent is unknown)

**Exclusions:**

Threatening behaviour. These are coded to Group 0532, Threatening behaviour.

Any action that is direct (face-to-face), and it is believed that the threat could be enacted. These are coded to the relevant groups within Subdivision 021, Assault.

Administer drugs with intent to assault. These are coded to the relevant groups within Subdivision 021, Assault.

Administer drugs with intent to rape. These are coded to Group 0311, Aggravated sexual assault.

Administer drugs with intent to steal. These are coded to Group 0611, Aggravated robbery.